

1 STEVEN BENITO RUSSO
Chief of Enforcement
2 STEVEN MEINRATH
Commission Counsel
3 FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5660
5 Attorneys for Complainant
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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
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12 In the Matter of)	FPPC No.: 98/265
)	
)	
14 EXCELLENCE IN STUDENT)	STIPULATION, DECISION and
15 ACHIEVEMENT PAC,)	ORDER
)	
16 Respondent.)	
)	

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18 Complainant, Mark Krausse, Executive Director of the Fair Political Practices Commission, and
19 Respondent, Excellence in Student Achievement PAC, hereby agree that this Stipulation will be
20 submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled
21 meeting.

22 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this
23 matter, and to reach a final disposition without the necessity of holding an administrative hearing to
24 determine the liability of Respondent.

25 Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural
26 rights set forth in sections 83115.5 and 11503 of the Government Code, and in section 18361 of Title 2
27 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear
28 at any administrative hearing held in this matter, to be represented by an attorney at Respondent's own
expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to

1 testify at the hearing, and to have an impartial administrative law judge preside over the hearing as a
2 hearing officer.

3 It is further stipulated and agreed that Respondent violated the Political Reform Act by failing to
4 disclose the name of its sponsor on its Statement of Organization, in violation of section 84102 of the
5 Government Code (1 count), failing to disclose the name of its sponsor on several campaign statements,
6 in violation of section 84106 of the Government Code (1 count), and failing to disclose the true source
7 and guarantor of a loan, in violation of section 84211 of the Government Code (2 counts), as described
8 in Exhibit 1, which is attached hereto and incorporated by reference, as though fully set forth herein.
9 Exhibit 1 is a true and accurate summary of the facts in this matter.

10 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.
11 Respondent also agrees to the Commission imposing upon it an administrative penalty in the amount of
12 Four Thousand Dollars (\$4,000). A cashier check from Respondent in said amount, made payable to the
13 "General Fund of the State of California," is submitted with this Stipulation as full payment of the
14 administrative penalty, and shall be to be held by the State of California until the Commission issues its
15 Decision and Order regarding this matter. The parties agree that in the event the Commission refuses to
16 accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the
17 Commission meeting at which the Stipulation is rejected, all payments tendered by Respondent in
18 connection with this Stipulation shall be reimbursed to Respondent. Respondent further stipulates and
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1 agrees that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before the
2 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
3 shall be disqualified because of prior consideration of this Stipulation.

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5 Dated: _____

Mark Krausse
Executive Director
Fair Political Practices Commission

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9 Dated: _____

Excellence in Student Achievement (PAC), Respondent
By F. Laurence Scott, Treasurer

1 **DECISION AND ORDER**

2 The foregoing stipulation of the parties “In the Matter of Excellence in Student Achievement
3 PAC, FPPC No. 98/265,” including all attached exhibits, is hereby accepted as the final decision and
4 order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

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6 IT IS SO ORDERED.

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8 Dated: _____

9 Karen A. Getman, Chairman
10 Fair Political Practices Commission
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1 agrees that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before the
2 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
3 shall be disqualified because of prior consideration of this Stipulation.

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5 Dated:

9/29/01

Mark Krausse

Mark Krausse
Executive Director
Fair Political Practices Commission

8
9 Dated:

9/25/01

F. Lawrence Scott

Excellence in Student Achievement (PAC), Respondent
By F. Lawrence Scott, Treasurer